

REMARKS

This is intended as a full and complete response to the Office Action dated July 8, 2008, having a shortened statutory period for response set to expire on October 8, 2008. Please reconsider the claims pending in the application for reasons discussed below.

Claims 1-18 and 34 are pending in the application and stand rejected. Claims 1-18 and 34-36 remain pending following entry of this response and are shown above. Claims 3, 5, 8, 9, 11, 12, 15, 17, 18, and 34 have been amended. New claims 35 and 36 have been added to recite aspects of the invention. Applicant submits that the amendments and new claims do not introduce new matter.

Information Disclosure Statement

The information disclosure statement filed June 17, 2005 fails to comply with 37 C.F.R. 1.98(a)(2). Specifically, copies of the foreign patent document and two non-patent literature publications were not provided. Applicant has provided copies of the three missing documents in a supplemental information disclosure statement filed herewith.

Claim Rejections - 35 U.S.C. § 102

Claims 1-18 and 34 are rejected under 35 U.S.C. § 102(b) as being anticipated by *Hamaguchi et al.* (U.S. Publication 2001/0028038, hereinafter "*Hamaguchi*"). Applicant respectfully traverses this rejection.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920

(Fed. Cir. 1989). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Hamaguchi does not teach, show, or suggest “at least two lens modules, each comprising a first pole piece [and] a second pole piece” as recited in independent claims 1, 17, and 34. Rather than multiple lens modules, *Hamaguchi* teaches a complete lens 16, which “includes a lens part 202 having a plurality of lens openings 204...and a coil part 200 provided in an area surrounding the lens part 202 to generate a magnetic field” (paragraph [0124] lines 1-5 and FIG. 8).

The Examiner refers to FIGs. 12A-B and 18A-B of *Hamaguchi* as illustrating the at least two lens modules on page 3 of the current Office Action, but Applicant is left to guess which elements in these figures the Examiner considers as the at least two lens modules, the first pole piece, and the second pole piece.

Applicant respectfully submits that the first and second lens-magnetic conductive members 210a, 210b of the lens part 202 in *Hamaguchi* cannot be considered as the at least two lens modules because each conductive member (210a or 210b) does not comprise a first pole piece and a second pole piece as required by claims 1, 17, and 34. The present application teaches that the first and second pole pieces form “a gap region to confine the magnetic field” (paragraph [0040] lines 5-9). The Examiner’s attention is directed to upper pole piece 25 and lower pole piece 27 in FIG. 18 in the present application for an example of the first and second pole pieces.

Rather, *Hamaguchi* teaches that the “magnetic fields are formed between the first and second magnetic conductive members 210a and 210b” (paragraph [0138] lines 3-5) and that “the electron beams entering the lens openings 204 are converged independently of each other by the effects of the magnetic field between the lens-magnetic conductive members 210a and 210b” (paragraph [0134] lines 13-16). Thus, both conductive members 210a and 210b are required to make a complete lens 16, and therefore, the first or the

second lens-magnetic conductive member 210a, 210b cannot be considered as a lens module.

Furthermore, Applicant respectfully submits that, in FIGs. 12A-B and 18A-B of *Hamaguchi*, the individual boxes drawn for members 210a and 210b shown in the two-dimensional cross-section of the lens 16 (the top view of which is illustrated in FIG. 8) cannot be considered as the at least two lens modules required by claims 1, 17, and 34. These individual boxes are really portions of the continuous, disk-shaped conductive members 210a, 210b in between the lens openings 204, rather than individual components (e.g., lens modules) as the Examiner may have surmised (paragraphs [0039] and [0043]).


Therefore, *Hamaguchi* fails to anticipate or suggest independent claims 1, 17, or 34. Accordingly, Applicant submits that independent claims 1, 17, and 34, as well as those claims that depend therefrom, are allowable and respectfully requests withdrawal of this rejection.

Conclusion

Having addressed all issues set out in the office action, Applicant respectfully submits that the claims are in condition for allowance and respectfully requests that the claims be allowed.

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Respectfully submitted,



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